

FEE EXEMPT

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CHINO BASIN WATERMASTER

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**

10 CHINO BASIN MUNICIPAL WATER
11 DISTRICT

Case No. RCV 51010

[Assigned for All Purposes to the Honorable
MICHAEL GUNN]

12 Plaintiff,

13 vs.

SUPPLEMENTAL FILING
RE: MAY 24, 2007 ORDER

14 CITY OF CHINO, ET AL.

Hearing Date: None

15 Defendant.
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20 In its May 24, 2007 Order, the Court directed Watermaster to:

21 “[S]ubmit a supplemental filing, explaining the relationship between achieving hydraulic
22 control to benefit from the Santa Ana Regional Water Quality Control Board Basin Plan Amendment
23 and obtaining court approval to re-operate Chino Basin as envisioned in the Peace II agreement
24 process. To the extent that commencing hydraulic control re-operation would not be consistent with
25 the Judgment, Watermaster is to confirm that is has not and will not commence hydraulic control re-
26 operation of Chino Basin without Court approval.”

27 (May 24, 2007 Order, p.3.)
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1 This supplemental filing is intended to provide a basic response to the request by the Court,
2 however, it should be noted that this issue will be subject to more complete briefing by Watermaster
3 as part of the filings made in connection with the Peace II process. Thus, Watermaster will defer a
4 detailed explanation of the subject and submittal of lengthy supporting documentation until those
5 filings.

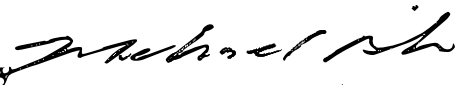
6 The most recent amendments to the Regional Water Quality Control Board's ("RWQCB")
7 Basin Plan for the Santa Ana Region incorporate what have come to be called "maximum benefit
8 objectives." These amendments were approved in RWQCB Resolution R8-2004-0001, which
9 received final approval from the State Water Resources Control Board on September 30, 2004. For
10 the Chino Basin, these maximum benefit standards are water quality objectives that were established
11 based on a joint demonstration by the Chino Basin Watermaster and the Inland Empire Utilities
12 Agency ("IEUA") that such objectives would promote the maximum beneficial use of the waters
13 available to the Chino Basin, primarily through the ability to use recycled water. Watermaster and
14 IEUA are co-permittees with respect to the recharge of recycled water.

15 In order to gain access to the maximum benefit objectives, Watermaster and IEUA must
16 fulfill multiple commitments. One of these commitments is to achieve Hydraulic Control. Hydraulic
17 Control is defined as the reduction to de minimus levels of the outflow of water from the Chino
18 North Management Zone to the Santa Ana River. Watermaster technical evaluations have suggested
19 that the best way to achieve Hydraulic Control is through the proposed Re-Operation of the Basin.
20 However, a precise definition of Basin Re-Operation is still under development through the Peace II
21 process.

22 At this time, Watermaster believes that at least some aspect of Basin Re-Operation will
23 require an amendment to the Judgment. To the extent that such an amendment is necessary,
24 Watermaster will come to Court with a motion to amend the Judgment prior to implementation of
25 the project. Watermaster is currently in the process of preparing such a motion, as well as
26 documentation for the other aspects of the Peace II process. As part of this documentation, the Court
27 will be presented with the Basin Plan Amendments and all of the many other documents that will be
28 necessary to fully and completely explain Hydraulic Control and Basin Re-Operation. Watermaster

1 anticipates bringing these issues to the Court in November, as was directed in the May 24, 2007
2 Order.

5 DATED: August 23, 2007

By 

Scott S. Slater
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CHINO BASIN WATERMASTER
Case No. RCV 51010
Chino Basin Municipal Water District v. The City of Chino

PROOF OF SERVICE

I declare that:

I am employed in the County of San Bernardino, California. I am over the age of 18 years and not a party to the within action. My business address is Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On August 24, 2007, I served the following:

1) SUPPLEMENTAL FILING RE: MAY 24, 2007 ORDER

BY MAIL: in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for delivery by United States Postal Service mail at Rancho Cucamonga, California, addresses as follows:

See attached service list: Mailing List 1

BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

BY FACSIMILE: I transmitted said document by fax transmission from (909) 484-3890 to the fax number(s) indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting fax machine.

BY ELECTRONIC MAIL: I transmitted notice of availability of electronic documents by electronic transmission to the email address indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting electronic mail device.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 24, 2007 in Rancho Cucamonga, California.



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